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C O N F I D E N T I A L SECTION 01 OF 02 BELGRADE 001290

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SUBJECT: SERBIA: SO FAR, SO GOOD WITH EULEX

REF: A) PRISTINA 608 B) BELGRADE 677 C) BELGRADE 757  
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Classified By: Bradford Bell, Deputy Political Chief; reasons 1.4 (b, d  
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#### Summary

¶1. (C) After the successful December 9 deployment of the EU Rule of Law (EULEX) Mission throughout Kosovo (Ref A), Serbian leaders are relaxed. They hope that EULEX will make great efforts to cooperate with Kosovo Serbs, implying that Kosovo Serbs are so far behaving very well, but are nervous. The Government says it is committed to working with EULEX and wants to remove the Kosovo issue from the political stage, but EULEX's status neutrality and goodwill are also required. While all sides agree that stability and rule of law are in everyone's interest, there are still significant challenges on the horizon. They include rule of law, police, and customs. End Summary.

#### EULEX Deployment A Success

¶2. (C) Members of the governing coalition agreed that EULEX's deployment throughout Kosovo went as well as could have been expected. Minister for Kosovo Goran Bogdanovic told us on December 11 that, given the tense situation, EULEX was rolled out "in the best possible fashion," noting his own personal relief after a couple of sleepless nights preparing the ground for deployment. Foreign Minister Vuk Jeremic told us a day earlier that he too was pleased that the rollout had proceeded smoothly, and in typical fashion took full credit. "Two months ago northern Kosovo saw EULEX as an occupation force," he said, "but now its deployment is a diplomatic victory for Serbia." His attention was clearly on other topics, from relations with neighboring countries to Serbian EU accession. Only opposition leaders from the Serbian Radical Party (SRS) and the Democratic Party of Serbia (DSS) publicly opposed EULEX's deployment, accusing the government of further surrendering Serbian sovereignty over Kosovo.

#### Expectations for EULEX

¶3. (C) Bogdanovic and Jeremic said that EULEX must now prove itself to Kosovo Serbs. EULEX must gain trust on the ground by respecting and protecting human and civil rights in Kosovo and "establishing life without fear for the most threatened (Kosovo Serbs)," Bogdanovic said in a December 10 public statement. For Kosovo Serbs the status neutrality of the mission is essential, Bogdanovic told us on December 11. He encouraged EULEX to establish strong communication with and to gain the trust of Kosovo Serbs.

#### Challenges on the Horizon

14. (C) Although EULEX's deployment has prompted a temporary sigh of relief, international and Serbian officials understand there are potential difficulties looming. EU representative in Belgrade Peter Sorensen told us on December 10 that the first difficulty could be when EULEX needs to enforce the rule of law. "We have deployed EULEX, but we still don't know if they will enforce Kosovo or Serbian law," he said. Sorensen reiterated to Quint ambassadors December 12 that EULEX judges would reject "creative ambiguity": they need to know clearly which law they are enforcing, and to get such clarity would doubtless cause either Pristina or Belgrade heartburn. In addition, Bogdanovic stressed on December 11, the situation could become tense if EULEX too quickly tried to enforce customs collection in the north. He said EULEX should only "monitor" customs in the near term and should wait until "the end of winter" before deciding on collecting customs. Referring to the Six Point Plan between Belgrade and the UN, Bogdanovic stressed that a senior Serbian police commander needed to be appointed soon in order to build confidence. He said, if that were done, Kosovo Serb police could return to work in the Kosovo Police Service (KPS) within weeks. Quint ambassadors agreed with ICO representative David Slinn that disagreement over any of these issues ) defining rule of law, customs, or police ) could make today's rather calm situation rapidly less so.

#### Kosovo Issue: From Political to Technical

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15. (C) The Serbian government continues to claim that it wants EULEX's deployment to be an opportunity to move the

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Kosovo issue from the political spotlight into the technical domain. Both the President's Office and the Foreign Ministry intend to pass off the Kosovo portfolio to lower level advisors who have yet to be appointed, Sorensen told us. Foreign Minister Vuk Jeremic has remained uncharacteristically quiet in public on Kosovo in the past couple of weeks, permitting the less influential political actors, specifically Bogdanovic and Kosovo Ministry State Secretary Oliver Ivanovic, to take the lead with the press. Jeremic clearly believes he has milked the issue for all it is worth and if things go wrong, he wants others to take the fall. Bogdanovic told us he intended to be less vocal in the press than Jeremic or his predecessor had been, agreeing the less that is said publicly the better. Interestingly, in all conversations the UN-sponsored Six-Points were rarely mentioned; Sorensen noted that Serbian officials referred to UNMIK officials as "lame ducks" (and reported that UNMIK seemed to be packing up and leaving quite rapidly).

#### Real Life Issues to Be the Focus

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16. (C) Serbian officials now say they want to focus on quality of life issues for Kosovo Serbs, such as economic opportunity, freedom of travel, and property restitution, Bogdanovic said. Bogdanovic said he wanted to create the conditions to allow Kosovo Serbs "to act on their own, rather than on the orders of political leaders." He admitted, however, that given the difficult economic climate and the need for budget cuts, Serbia would need to reduce the double salaries that Kosovo Serb state employees now receive (in order to encourage them to stay in Kosovo and align with Serbia), but he said this was an ongoing discussion within the government.

#### Bogdanovic: Let Serbia Handle Actors in the North

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17. (C) Serbia's government believes it is best positioned to control hardliners in Northern Kosovo, particularly Milan Ivanovic and Marko Jaksic. Bogdanovic said his government could deal with hardliners "in the best possible fashion."

Serbia has been trying to do so "slowly and carefully, through various mechanisms and tools," Bogdanovic said, urging restraint from EULEX on this issue. Bogdanovic, who is from Northern Kosovo, said he personally never had direct conflict with Jaksic, and thus he expected that Jaksic would listen to him. Sorensen and Slinn reported, and Quint ambassadors confirmed, that a recent visit by Jaksic and Milan Ivanovic to Belgrade had resulted in discussions in which President Tadic had been gentle, indeed almost beseeching, rather than cracking down on the two Kosovo Serbs widely acknowledged to be engaged in graft (and whose support for Tadic's pro-European party is nil). Therefore, we should expect that either a deal has been struck in which Tadic has sought to buy off Northern Kosovo Serb hardliners, or Tadic has simply not found the will to crack down on them as he has long promised to us he would.

Comment

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18. (C) With other issues on its international agenda, such as its stalled European integration and the financial crisis, Serbia's leaders seem to have realized they must move Kosovo away from the center of the political agenda. They will never surrender it completely: witness Jeremic on December 11 in the Serbian parliament, once again claiming that Serbia would choose Kosovo over EU accession (creating a straw man argument that baffles most other pro-European leaders in Belgrade). With EULEX's successful deployment ) and Jeremic retreating into the background as the chief spokesman for Kosovo issues ) we believe the Tadic's government hopes that Kosovo will fade away. Still Serbian expectations for EULEX remain high, perpetuating among the Europeans the same irritation that has dogged the process for months. End Comment.

MUNTER